

CAPT. EDWARD G. ELLIOT—WIDOW OF.

[To accompany Bill H. R. No. 695.]

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MAY 4, 1860.

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Mr. OLIN, from the Committee on Military Affairs, made the following

REPORT.

*The Committee on Military Affairs, to whom was referred the memorial of Mrs. Asenath M. Elliot, widow of the late Captain Edward G. Elliot, late assistant quartermaster of the United States army, having had the same under consideration, report :*

That the late Captain Elliot was appointed assistant quartermaster during the war with Mexico, and was stationed at Vera Cruz, the principal and most important depot of the army commanded by General Scott ; as evidence of the fidelity and ability with which Captain Elliot discharged his official duties, Major General Jesup, in a letter to the honorable Jefferson Davis, of the date of April 11, 1860, says : “ Able and accomplished as was the chief of that army, and gallant and efficient as were the officers and soldiers who composed it, I think it more than doubtful whether its success could have been so certain and so brilliant had there been the slightest failure at Vera Cruz in the administrative arrangements ; and yet the officers there had a more terrible enemy to grapple with than the army in the field ; they were obliged to perform their duties surrounded by disease and death, yet no one abandoned his station, but continued in the efficient discharge of his duties until struck by disease or death, and hardly one of them now lives.”

That in 1848, and a few months after his marriage with the memorialist, Captain Elliot was ordered to California, and in his official capacity as senior quartermaster was placed in charge of a large amount of property and funds, including fifty thousand dollars in gold belonging to the government, which he was required to take with him by way of the Isthmus.

The memorialist states, and the letters of Major General Smith and of Jesup confirm the statement, that at this period the “ gold fever ” of California was at its height, and thousands of people were pressing forward by way of the Isthmus to reach that place ; that the rains upon the Isthmus had continued much beyond the usual period, and very inadequate means had been provided for the immense amount of

travel and transportation thus suddenly thrown upon the half-civilized population of that region ; that individuals anticipating golden harvests were willing to pay extravagant rates to be transported across the Isthmus with their goods. In the midst of this struggle Captain Elliot, while making every exertion to get forward with the public stores and money, was attacked with the cholera, then prevailing there, and died almost immediately. The property and funds in his care (with all of which he was charged upon the books of the treasury) were taken possession of by Brevet Major Edward Fitzgerald, acting quartermaster, and transported to California, including his papers, vouchers, and such of his personal property as Captain Elliot had taken with him, amounting in value, as appears by the testimony of James N. Keller, to upwards of twenty-five hundred dollars. Captain Elliot dying thus suddenly, and his papers and vouchers being scattered, the settlement and adjustment of his accounts were attended with embarrassment and delay. It appears by the statement of the Third Auditor of the Treasury that at the first settlement of Captain Elliot's accounts after his death his indebtedness as quartermaster appearing upon the books of the treasury was \$103,229 71 ; that on a subsequent settlement, in April, 1855, this indebtedness was reduced by admissions to his credit of sundry suspensions and disallowances previously made against him and a deposit of \$287 46 to his credit by the administrator on his estate to the sum of \$92,064 32. Again, in a settlement of June, 1855, to \$44,195 52 ; again, in January, 1858, to \$12,448 30 ; and finally in September, 1858, by relieving him of a charge of \$10,000, *then found to have been erroneously charged to him*, and passing to his credit \$565 12 (the amount due him for mileage from Washington, D. C., to Chagres, New Granada, in November and December, 1848,) and \$70 23 transferred to his credit from subsistence in August, 1858, and \$339 15 transferred to his credit from Second Auditor's office in August, 1858, a balance of \$149 46 was found due his estate and was paid over to the administrator. The proofs in this case further show that the memorialist, when apprised of the large balance appearing to be due from Captain Elliot to the government, promptly surrendered up the little remnant of her own private property to relieve, as far as she was able, the memory of her husband from the charge of being a defaulter to that government in whose service he had lost his life.

General Jesup says, in the letter before referred to : " From the integrity, correctness, and strict attention to duty of Captain Elliot, I have not a doubt had he lived he would have been able to account for every dollar and every dollar's worth of property that ever came into his hands."

It is quite apparent, from the facts in this case, that Captain Elliot was a faithful, honest, and efficient officer, and that the whole difficulty of settling his accounts arose from his sudden death and the loss or dispersion of his papers and vouchers, and it is quite probable that the small balance which his salary and private property were applied to extinguish may yet be accounted for if any further examination be had for that purpose. However that may be, we deem it due to the memory of a gallant and faithful officer, who fell in his country's service, that the reproach of being a defaulter should not

stain it, convinced, as we are, that he had discharged his arduous duties with singular fidelity and efficiency up to the moment of his sudden death, and that the failure to account for the small balance appearing to be due the government was owing solely to the circumstances of his death and the necessary difficulty in settling and adjusting his accounts.

It appears that the private property of Captain Elliot, including that of his widow, applied to extinguish the supposed balance due the government, amounted to upwards of thirty-seven hundred dollars. There is some proof tending to show that this property, from which this amount was realized, was sold at a very considerable sacrifice. If interest were allowed on this amount, the sum which would be justly due the memorialist would exceed six thousand dollars, but as Congress has usually refused the payment of interest on claims, however just, we are of opinion that the sum of \$5,000 is equitably and justly due the memorialist, and ask leave to introduce a bill to refund to her that amount.

